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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/473,554

12/29/1999

KENNETH MCCLAMROCH

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EXAMINER

NGUYEN, CINDY

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/473,554

Applicant(s)

MCCLAMROCH ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04/25/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 5-10, 12-14, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-10,12-14,16 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 16 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This is in response to communication filed 04/25/06.

#### Response to Applicant's Arguments

Applicant's arguments have been considered, but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 5-10, 12-14, 16 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant claimed the method for **indexing** and locating code assets of diverse types stored on a storage device. However, the method for indexing was not described how to index in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Correction is required.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 5-10, 12-14, 16 and 17 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01.

It lacks the steps of indexing, **how to indexing** in the method for indexing and locating. Correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5-10, 12-14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cottrill (US 5963958) in view of Greenfeld (US 4931928).

Regarding claim 1, Cottrill discloses: A computer-implemented method for indexing and locating code assets of diverse types stored on a storage device, comprising the steps of:

identifying the asset type of, and asset-specific parameters related to said stored assets, said asset specific parameters comprising languages in which each code asset is written (col. 3, lines 36-53, Cottrill);

analyzing said stored assets based on said identified asset-specific parameters (analyze the input string to extract the various parameters (col. 3, lines 66 to col. 4, lines 22, Cottrill);

extracting textual, semantic information from said stored assets, said semantic information including semantic information specific to the asset type of each stored asset (col. 4, lines 12-47, Cottrill);

However, Cottrill didn't disclose: performing a crawl process on said storage device to identify stored assets; storing and indexing said extracted textual and semantic information for retrieval. On the other hand, Greenfeld discloses: performing a crawl process on said storage device to identify stored assets (as reading source file from a file and keeping track of which file is currently being read and wherein within that file the reading is accruing, col. 9, lines 3-35, Greenfeld); storing and indexing said extracted textual and semantic information for retrieval (col. 10, lines 23-35, Greenfeld). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include performing a crawl process on said storage device to identify stored assets; storing and indexing said extracted textual and semantic information for retrieval in the system of Cottrill as taught by Greenfeld. The motivation being to enable the system provide the source code analysis utilizes a formal programming language grammar, controls various desired databases in order to easily

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accommodate many and diverse database systems, scanning and parsing source code that is specific to a subject programming language being analyzed in order to faithfully capture the semantics of the language (col. 3, lines 45-66, Greenfeld).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1, respectively. In addition, Cottrill/Greenfield discloses: wherein said analysis step is performed using language-specific analyzers corresponding to the languages of said code assets (col. 3, lines 66 to col. 4, lines 22, Cottrill).

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 1, respectively. In addition, Cottrill/Greenfield discloses: wherein said language-specific analyzers analyze said stored assets based on predetermined parameters specific to the language to which they correspond (col. 3, lines 35-53, Cottrill).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Cottrill discloses: wherein said stored assets comprise assets of diverse types (col. 4, lines 13-47, Cottrill), with at least one of said asset types having a corresponding asset type specific analyzer and wherein said stored assets comprise code assets and wherein said asset specific parameters comprise languages in which each code asset is written (col. 3, lines 35-53, Cottrill). wherein said analyzing

means comprises an analysis server, said analysis server including one or more asset type specific servers (as CORBA server, col. 8, lines 53-67, Cottrill).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 7. In addition, Cottrill/ Greenfield discloses: locating means for locating stored assets by applying a search query to said semantic information stored in said storing and indexing means (col. 3, lines 35-53, Cottrill).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 8. In addition, Cottrill/ Greenfield discloses: wherein said locating means includes means for applying a search query to said textual information stored in said storing and indexing means (col. 3, lines 35-53, Cottrill).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Cottrill/ Greenfield discloses: wherein said locating means includes means for applying a search query to both said semantic information and said textual information simultaneously (col. 3, lines 35-53, Cottrill).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Cottrill/ Greenfield discloses: wherein a plurality of

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said asset types have a corresponding asset-type specific analyzer (col. 3, lines 45-53, Cottrill).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 12. In addition, Cottrill/ Greenfield discloses: wherein each of said asset types has a corresponding asset-type specific analyzer (col. 3, lines 45-53, Cottrill).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Cottrill/ Greenfield discloses: wherein said asset-type specific analyzer extracts predefined semantic information specific to the asset type to which it corresponds (col. 3, lines 45-53, Cottrill).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 7, respectively. In addition, Cottrill/ Greenfield discloses: wherein said analysis step is performed using language-specific analyzers corresponding to the languages of said code assets (col. 3, lines 35-53, Cottrill).

Regarding claim 17, all the limitations of this claim have been noted in the rejection of claim 7, respectively. In addition, Cottrill/ Greenfield discloses: wherein said language-specific analyzers analyze said stored assets based on predetermined



parameters specific to the language to which they correspond (col. 3, lines 35-53, Cottrill).

### **1. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McCasland, US 5856931, Method and system for identifying organizing, scheduling, executing, analyzing and documenting detailed inspection activities for specific items in either a time based or on demand fashion.

Kraay et al. U.S 5956717, Database Origami

Agrawal et al. US 6233575, Multilevel taxonomy based on features derived from training documents classification using fisher values as discrimination values.

Gershman et al. US. 6401085, Mobile communication and computing system and method.

Eder (U.S 6321205). Method of and system for modeling and analyzing business improvement programs.

### **2. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers


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for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen  
June 21, 2006



**FRANTZ COBY**  
**PRIMARY EXAMINER**